App. F. IX-4

192 9-30
(Prisons)

File No. 36-28

Serial Nos. 1-4

Previous References
Pris 67-27 (1-6)

Later References
Pris: 68-29 (1-7)

General and Revenue Secretariat.

Serial Nos. 4

Part B for December 1929.

SUBJECT

Regarding the overdetention of a prisoner by name Mylaraiah in the Mysore jail.

No. G. 6383-93 Dt. 25.11.29.

To The Inspectors Genl. of Prisons in Mysore
Registrar, Chief Court of Mysore
District magistrates of Dists.
Comptroller to Govt

Sanctions certain amendments to Rule 664 of the Mysore Jail Manual re: the mode of intimation of payment of fine to the Supt.

General and Revenue Secretariat | Prisons File No 36 of 192

Serial No.

From the Inspector General of Prisons
to Mysore
No. C. 173-4 D 11.10.28
Submits for the orders of Govt a case of ~~accident~~ over detention for 110 days from 28.8.28 to 7.9.28 both days inclusive of a prisoner by name Mylarial No 4555 of the Mysore Jail owing to the non intimation by the 1st Magistrate Mysore of the Recovery of fine & the Jail authorities till the 8th Sept 1928 and requests in the circumstances the adoption of the procedure outlined in his letter No C 777-18 D 7.9.28.

As regards the first para the file may perhaps be referred to the Protection Branch for taking the necessary action to avoid delay on the part of the Magistrates of Mysore to communicate in time the Jail authorities the Recovery of fine.
It is not clear why the report should have been sent to a police Constable instead of forwarding the same
As regards the second para the question may perhaps be considered after the orders.

Yes
Rey
10/28.

11/10

R. L.
12/10

Yes
17/10

Genl. Secy.
Rey
10/28

11/10

General and Revenue Secretariat

Serial No.

(5) Please put up a draft letter to the Registrar, Chief Court, forwarding a copy of the letter of the Supt, Mysore Jail, ~~for~~ for ~~return~~ a report of action taken.

6) Submitted with a draft

~~D~~ 29/10.

7) Issued

8) Issued 4/11

Issued No. C.P 53 of 24.10.28 to the Registrar, Chief Court for enquiring and report of action taken.

Letter no 582 of 8/11 28 from the Registrar Chief Court requesting that a copy of the Statement of the Police Constables be sent for reference.

9) D/p

Issued

4/11

Issued No P 2765 of 15.11.28

Letter no 173-6 of 19.11.28 from the Inspector General of Forests forwarding the Statement of Constables

General and Revenue
Secretariat

Cb File No 2b6/p3 of 1928. [App. F. III—2]

Serial No.

No. 21 Nallappa of the Mysore city

D/P. Subd for orders

Issue
20/11

A
20/11

20/11

To the Regr Chief Court.
No P. 2827 of 21-11-28
Forwards copy of the ...
of constable no 21 Nallappa of
the Mysore city-police.

Letter No 582 of 15/12/28 from the
Registrar Chief Court Stating
that in the circumstances stated
therein no further action seems
necessary.

10) Two points urged by the Chief
Court for considerations are as follows
(1) Important communications should
be sent separately & not along
with other communications put in
a single cover
2) The Court under whose warrant
convicts are imprisoned should
get intimation whenever remissions
are earned by the convicts or
by payment of fine the
imprisonment in default etc.

11) ~~For orders~~

A
18/12

12) If appd, the file will now be returned to the G-M-Branch for necessary further action.
21/12

18/12

WD 021—GPB—30,000—21-8-28 Secy) (13) Yes
GMPr) 21/12

Serial No.

Sriranga 6 3.28

Babu. The facts of the case are as follows:- A prisoner by name Mylaiah of the Mysore Jail was sentenced to one years rigorous imprisonment and a fine of Rs 110-1-6 or in default to undergo 4 months further imprisonment by the C.J. Magistrate Mysore. The Babu sentence was sentenced to 1 year & 4 months but subsequently reduced to 8 months by the Sessions Court without interfering with the fine ordered by the C.J. Magistrate. The fine was recovered by the C.J. Magistrate on 27.8.28. The Reduced Substantive term with the period of Remission earned by the prisoner while in Jail under the Remission Rule in force expired on 17.8.28. From that date the prisoner was detained in Jail for the default Sentence of 4 months. While undergoing this Sentence the fine was Recovered by the C.J. Magistrate on 27.8.28. But somehow the intimation of the Recovery of the fine not having been noticed till the 8th Sept 28 / the prisoner was subjected to by the Jail authorities

overstay sentence for 11 days from 28.8.28 to 7.9.28 both days inclusive.

From the enquiry of the Chief Court it is seen that the Dt Magistrate Mysore reports that the intimation of the Recovery of fine was sent in time and that this intimation was lost in the Jail office But the Sentencing Court Soon after the intimation of Recovery of the fine should have watched for the return of the imprisonment warrant and this they appear not to have done so. The plea is that they were not aware of the Remissions earned by the prisoners

Serial No.

and that they were under the impression that he would be released in the ordinary Course on 5.9.28.

To remedy the defects disclosed in this Case the Chief Court has suggested two points:—

(1) Important Communications like the one now in question viz (intimation of the recovery of fine) should be sent separately and not along with other Communications pertain a single Case. The Probation Branch has not taken any action on this point and they may perhaps be asked to state whether they have taken any action.

(2) The Court under whose Warrant Convicts are imprisoned should get intimation whenever Remissions are earned by the Convicts or by payment of fine the imprisonment in default Cases.

As regard intimation to the Sentencing Courts of the Remissions earned by the Convicts, Kind reference is invited to para 2 of the Prisons file 67-27 Pgs 1 to 6 putup below wherein the Probation Branch has opined that there is no need to keep the Courts informed from time to time of the remissions granted since the information about remissions are contained furnished along with the imprisonment Warrant after the release of the prisoners. The Probation Branch may be asked to state whether they adhere to this opinion or modify the same now.

As regard the intimation to the Courts Concerned by the jail authorities of the Cessation of imprisonment by payment of fine, the Pro. Branch has not stated whether any such intimation is necessary and they may be asked to state their opinion.

For orders

3071

General and Revenue Secretariat

Prog File No. 86 Not 1928

Serial No.

Draft ~~Reading~~ may be put up, conveying approval to the suggestions of the Chief Court.

dcg 5/1/29

Draft Reading Bab d

Put up typed draft as revised

7/1

dcg 8/1/29

Typed draft Bab d for approval

dcg 7/1/29

(Genl Secy)

3rd Member

7453 18/1

17/1/29 dcg

17/1/29

Issue dcg 21/1/29 9069

2 Jo

Sir Registrar Calcutta

Sir I.G.P. Prisons

No 9906 3-4 dt 26.1.1929

Passes orders for the prevention & ~~recent~~ overdetentions & Prisoners in future.

28/1/29

General and Revenue Secretariat | Prisons File No. 36 | App. F. II of 1928

Serial No. 9

From the D.G. of Prisons
to Registrar

No. 173-128 6.6.) I am to forward the necessary draft amendment to Rule 664 at 665 of the Keystone Jail manual.

The Law Secretariat may be consulted whether the amendments proposed can be accepted.

RS KD 22/6

Chief Secy) 29/6.

Yes RS 6/7/29

Forwarded with Compliments to the Law Secy., for favour of opinion.

1/7/29

By order
A. Devadas
for ch: Secy.

3/7.

For the second sentence of Rule 664, the following may be substituted:-

"The Communication shall be by letter ~~enclosed~~ and action shall not be taken on Telegrams. Such Communication shall be sent to the Supt. immediately on receipt of payment of the fine, enclosed in a separate cover marked 'immediate' and superscribed "Intimation of receipt of fine".

WD 01684—GPB—30,000—20-4-28

I. Draft with Compts

neral and Revenue
Secretariat

File No. 2607

Serial No.

In regard requiring remissions
ignored to be intimated to the Courts concerned,
no action is perhaps necessary the question
having been lately considered by Govt
in connection with a similar case and ordered
to be dropped.

Secy)
Chief Secy with comts

Legal opinion may be accepted

3d Member)

Babu. It has been proven the legal opinion that it is not necessary to intimate remissions earned to the Courts concerned. If the above opinion is accepted it becomes necessary to cancel the portion of the Govt order accepting the Chief Court's suggestion in the matter. As the legal opinion clashes with the views of the Chief Court it would be better if the Chief Court is consulted unofficially before taking any decision on the legal opinion

Please put up draft (in accordance with the orders of the 3d Member) amending the rule and stating that the other question may be dropped for the present.

24/10

Draft Go Sabd

30/10

The 2d sentence of the rule may remain as it is, and a new one as proposed by the Law Secy may be inserted.

The draft is for appl:

5/11

Chief Secy)

Noted accordingly.

13/11

14.11.

Issued

16

Sec 2 Prisons

Sec Regr Civil Courts

Sec Bd of Revenue

Sec Comptroller to Govt

General and Revenue Secretariat. Pro. | File No. 36 of 1928

To D.P.I. Prisons
The Registrar Sessions Court
The Dr. Masters & Bs.
The Comptroller to Govt.

No. P. 6383-93 Dt. 25.11.2

Sanctions certain amendments to Rule 664 of the Mysore Jail Manual regarding the mode of intimation, payment & fines to the Superintendents of Jails.

3-4 Office of the Inspector-General of Prisons

Mysore,

11th October 1928.

GENERAL MISCELLANEOUS
No 3071
12 OCT. 1928
210

The Inspector-General of Prisons
in Mysore, Bangalore.

Pr. 36-28-1

The General Secretary to the Government of H.H.
the Maharaja of Mysore, Bangalore.

RB 6/28.
11 xxx
Acs
17/10

Sir,

I have the honour to submit herewith for the orders of Government, copy of letter No. 805 dated 15th September 192 from the Superintendent, Mysore Jail reporting the occurrence of a case of overdetention for 11 days of a prisoner by name Mylariah No. 4555 of that Jail. The prisoner had been sentenc to one year's rigorous imprisonment and to a fine of Rs. 110-1 or in default to undergo four months further rigorous imprisonm in criminal case No. 110 of 1927-28 on the file of the City Magistrate, Mysore. The substantive sentence of one year was subsequently reduced to 6 months' rigorous imprisonment without any alteration in the fine or the condition which attached the The fine was recovered in full in the court of the City Magist on 27-8-28 but the intimation of recovery was not sent to the till the 8th September 1928 resulting in the overdetention of prisoner from 28th August to 7th September 1928 both days incl

In this connection I would invite kind reference to my ter No. C. 777-18 dated 7th August 1928 and would recommend the introduction of the procedure outlined therein. I am sure the combined vigilance of both the sentencing Courts and the Jails would minimise the recurrence of such cases.

Letter No. 805 dated 15th September 1928 from the Superintend
Mysore Jail, Mysore, to the Inspector-General of Prisons in Mysc

I have the honour to report that one Mylariah - Ex-Convict
No.4555 was overdetained in this Jail for 11 days from 28-8-28
to 7th September 1928, before he was released on the 8th instant
Overdetention was occurred on account of non-receipt of the
intimation of realization of fine from the City Magistrate, Mysor
who had received on 27-8-1928 the full amount of fine on behalf
the prisoner.

In C.C. No. 110/ 27-28 on the file of the City Magistrate,
Mysore, Mylariah was awarded on 6-3-28 one year's rigorous
imprisonment with a default sentence of 4 months' rigorous
imprisonment for fine Rs. 110-1-6. In the appeal the substantiv
erm was reduced to 6 months rigorous imprisonment, the default
entence and the fine standing good. The reduced substantive
erm with the period of remission allowed expired on 17-8-1928.
enceforth the prisoner was detained for the default sentence.
6-8-1928 a modified warrant of imprisonment was received from t
ity Magistrate with a note made therein that fine amount had no
een recovered. On 28-8-28 a letter from the prisoner about the
ayment of fine was despatched to one Basaviah of his Village.
n result Basavaya produced on the 8th instant an acknowledgment
ated 27th August 1928 for the full amount of fine granted under
he signature of the Head Clerk of the City Magistrate's Office.
..s no intimation of realization of fine had been received in thi
Office, the City Magistrate was immediately communicated with an
on receipt of a reply from him with an intimation of realization
of fine the prisoner was released forthwith on the 8th instant.
The City Magistrate holds that on 27-8-1928 the date of payment
of fine - an intimation was sent to this Office with his No. 221
dated 27th August 1928 and with Police Constable No.21 Nallappa
who was one of the escort that escorted to the Jail on that day
convict Chinnamma. In token of proof an extract of the "To" -
register containing the Police Constable's signature has been s

to this Office. Number 221 dated 27th August 1928 is that given to the warrant of imprisonment of convict Chinnamma but with it no intimation of realization of fine was received in the Jail. The constable states that he is an illiterate and denies any knowledge of the paper in question. A copy of ~~of~~ his statement is herewith submitted for favour of perusal. The matter may kindly be caused to be enquired into.

-*-*-*-*-*-*-

" C O P Y "

Inspector-General of Prison

eptember 1928.

Nonsuch Inn of [illegible] Survey No. 1005 Nylarsah, Kasaba, Nanjanagud Village
Mysore Taluk, Mysore District.

Section and code under which imprisoned.	Original Sentence and date of award.	Magistrate and Court and number of Calendar in which convicted.	True expiry of sentence after deducting remissions.	Present state of health and fitness to undertake a journey.	Result of appeal (if any)	Jail Remarks
Section 409 I.P.C.	One years rigorous imprisonment and a fine of Rs 110-1-6 or in default of payment of fine to undergo further sentence of 4 months. On 6-3-1928	The City Magistrate Mysore. C.C. No: 110, of 27-28	The prisoner was released on the 8th Sept 1928	In the opinion of the undersigned the prisoner was not fit to undertake a journey on the date of release.		

Mysore
Dated 22nd Sept 1928.

Muthanna
Superintendent
Mysore Jail

Appendix F G –1

UBJECT..... .....

.....

.....

Section Ch

File No.

Serial No.

C No. P 53 /Sec. one

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

To

The Registrar, Ch. Court.

Sir,

Date of issue 24/10/1928

Signed by Sd. N. Seetharamayya

I am directed to forward herewith for enquiry and report of action taken, a copy of letter No 805 Dy 15.9.28 from the Supdt, Mysore Jail & the D. G. of Prisons bringing to notice the over detention of prisoners for seven days on account of the late reaching (sic) of the fine ~~Rs 1000~~ Rs 555 in intimation of the payment of the delay in intimation of the payment

I have etc

Sd/-

for Law Secy to Govt

List of enclosures.....

Copied by.....

Examined by.....

WD 0399—GPB—20,000—18-9-28

2013 P 828

CHIEF COURT OF MYSORE,
Public Office Buildings, Cubbon Park,

Bangalore, 8th November *1928.*

R. O. C. No. 582 Dis 28-29

FROM

T. Singaravelu Mudaliar, Esq., B.A., B.L.,
Registrar, Chief Court of Mysore.

To

B. NAGAPPA, Esq., Bar-at-law.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, BANGALORE.

SIR,

With reference to you letter No. P 53/Cts. dated 24th October 1928 forwarding for enquiry a copy of letter No. 805/ dated 15th September 1928 from the Superintendent, Mysore Jail addressed to the Inspector General of Prisons bringing to notice over detention of prisoner Mylariah on account of the delay in intimating the payment of fine, I am directed to request you to be so good as to forward for reference a copy of the Statement of the Police constable referred to in the concluding portion of the Superintendent's letter.

I have the honour to be,

Sir,

Your most obedient servant

T. Singaravelu

REGISTRAR.

Appendix F G—1

SUBJECT..... .....

.....

....

Section Ch

File No.

Serial No.

No. P 2765

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

To

The I. G. of Prisons

Date of issue 15/11/28

Signed by Rs. N. Sitharamaiya

Sir,

With ref^e to your letter No C 173-4 of 11/10/28 addressed to the Gen. Sec. regarding the Pardon of a prisoner by name Mylariah in the Mysore Jail, I am directed to request you to be so good as to forward for ref^e a copy of the Statement of the Police Constable recorded in the enclosed to letter No 805 of 15/9/28 from the Supdt Mysore Jail addressed to you on the subject.

I am etc

Sd/- W. J. Lawder

List of enclosures.....

Copied by.....

Examined by.....

No. 173-B Office of the Inspector-General of Prisons
Encl 1 in Mysore,
Dated Bangalore, 19 November 1928.

From

The Inspector-General of Prisons
in Mysore, Bangalore.

To

The Secretary to the Govt: of H.H. the
Maharaja of Mysore, Law Dept.,
Bangalore.

Sir,

As directed in your letter No.P. 2765/Cts. date 15-11-1928, I have the honour to forward herewith, in original the statement of constable No. 21 Nallappa of the Mysore City Police, received from the Superintendent, Mysore Jail, with his letter No. 805 dated - 15th September 1928.

I have the honour to be,

Sir,

Your most obedient servant,

M Hamood

Inspector-General of Prisons.

Appendix F G—1

SUBJECT..... .....

.....

.....

Diary No. of letter replied to.....

Section C1

File No.

Serial No.

No. 2827 (4)

General and Revenue Secretariat

( )

the *192*

To

.....The Regr Ch-Court

Date of issue..... 21/11/28

Signed by ..... M K S

+ Be kindly returned

To be kindly returned.

Sir,

With reference to your letter No 582 of 8/11/28, I am directed to forward herewith in (x) copy of the original Statement of Constable No 21. Nallappa of the Mysore City Police, received from the I & of Prisons with his letter No 173-6 of 15/11/28

As desired thereon

I have the honor to be Sir Your obedient servant

for Secy

List of enclosures.....

Copied by.....

Examined by.....

over

CHIEF COURT OF MYSORE,
Public Office Buildings, Cubbon Park,
Bangalore, 13th December ..... *1928.*

R. O. C. -Diss No. 582 / 28-29

From

I. Singaravelu Mudaliar, Esq., B.A., B.L.,
Registrar, Chief Court of Mysore.

To

B. Nagappa, Esq., Bar-at-Law.,
Secretary to Government,
Law Department,
Bangalore.

Sir,

With reference to your letter No.P.53/Cts.24-10-28 for warding for enquiry and report of action taken, a copy of -- letter dated 15-9-1928, from the Superintendent, Mysore Jail addressed to the Inspector General of Prisons regarding the over-detention of prisoner Mylariah, I am directed to forward herewith for information, copy of letter No.D.Dis.Gl.258-28 dated 23-11-1928, received from the District Magistrate, Mysore, together with copies of its enclosures and to state that in the circumstances reported by the District Magistrate, the Chief Court considers that no further action is necessary in the matter.

Copy of the statement of Nallappa, Police Constable received with your No.P.2827/Cts. dated 21-11-1928 is returned herewith as desired.

In this connection I am to bring to the notice of Government for suitable action being taken two points which require consideration:-

(1) Important communications like the one now in question should be sent separately and not along with other

communications

communications put in a single cover. and

(2) The Court under whose warrant convicts are imprisoned, should get intimation whenever remissions are earned by the convicts, or by payment of fines, the -- imprisonment in default ceases.

I have the honour to be,

Sir,

Your most obedient servant,

REGISTRAR.

Letter No.486/28-29 dated 14/15-11-1928 from the City Magistrate, Mysore, to the District Magistrate, MYSORE.

* * * * * * *

With reference to your memo No.Gl.925-28 dated 12-11-1928 forwarding copy of docket No.R.O.C.582/28-29 dated 8-11-1928 from the Registrar of the Chief Court and calling for a report in the matter of the over-detention of Prisoner Mylariah in the Mysore District Jail, I have the honour to state that Mylariah was sentenced by this court to undergo rigorous imprisonment for a period of one year from 6-3-1928. This sentence was reduced by the Sessions Court to six months. Mylaria was in addition sentenced to pay a fine of Rs.110-1-6 in default to undergo further - rigorous imprisonment for a period of four months. This fine order of this court was not interfered with by the Sessions Court. One Subbamma grand-mother of the said Mylaria produced the fine amount before this court on 27-8-1928 with an application. I ordered thereon immediately 'Credit the amount to Treasury and intimate Superintendent Mysore Jail at once'. On the same day i.e. 27-8-1928, the Office prepared the intimation of realization of fine amount in the printed form and this intimation was signed by me on the same day for issue to Jail Superintendent. The printed counter foil of this intimation book bears my initials under dated 27-8-1928.

This printed intimation of realization of the fine amount was sent to Jail Superintendent on the same day i.e. on 27-8-1928 along with a warrant of imprisonment of Chinnamma in C.Mis.70 of 1927-28 of this court - enclosed in a cover addressed to the Jail Superintendent and the same was sent with H.C.21 Nallappa. This finds

an entry in the 'to' Register and the entry is -- attested by P.C.21 Nallappa. The explanation of despatching clerk B.S.Puttasami to this effect is appended hereto. It is ascertained that the warrant of attachment of Chinnamma was received in the Jail Superintendent's Office and it was a surprise when on 8-9-1928 the Jail Superintendent wrote enquiring if Mylaria's fine amount had been realised. A duplicate intimation of realisation of the amount was sent to the Jail Superintendent at once.

In this connection, I may be permitted to quote a similar communication in another case. On 26-10-1928 the Jail Superintendent, in his letter No.940, requested for copies of three warrants of imprisonment issued from this court and sent to Jail along with three prisoners. I enclose herein a copy of this letter. The Jail Superintendent states in this letter "The Police escort state that they handed over to the gate keeper C.N. Subba Rao two covers containing three warrants of imprisonment. The Gate-keeper admits it and states that he had placed them on the Jailor's table. But the covers and the warrants are not forthcoming. The Jailor denies any knowledge of the same. The matter is being enquired into." As requested by the Superintendent he was furnished with copies of the missing warrants.

In these circumstances, I beg to urge that there has been neither delay nor neglect in this Office in sending the intimation of realisation of fine amount

aria to the Superintendent, Mysore Jail.

s regards the District Magistrate's query "Why the non-return of the Original warrant on 28-8-1928 or 29-8-1928 after the release of the prisoner was not noticed by the Office" - I beg to urge that this court

is not in a position to know the remissions earned by or allowed to convicts and in the normal course of events Mylaria was due to be released on 5-9-1928. In these circumstances the non-return of warrants on -- 28-8-1928 or 29-8-1928 could not be considered as of any significance nor could the same be thought of.

The explanations of the Head Clerk Mr. M.R.Srinivasa Rao and Despatching Clerk B.S. Puttusami are -- attached hereto.

S E A L
of the
Office of the Deputy Commissioner, Mys
bearing No.18480 dated 15th
November 1928.

Endorsement:

Report - sending these and add that I agree with the City Magistrate. There seems nothing wrong in the Jail Superintendent's Office. Perhaps the contents of the cover received on 27-8-1928 were not carefully examined and the intimation lost in the Jail Office.

(Id.) Not clear.
16-11-1928.

"COPY."

R E G I S T R A R.

Letter No.940 dated 26th October 1928 from the Superintendent, Mysore Jail to the City Magistrate, Mysore.

* * * * * *

I have the honour to state that this day morning the marginally noted three prisoners were brought to the Jail ~~Superintendent~~ for detention. The Police Escort state that they handed over to the Gate-keeper C.N. Subba Rao two covers containing three warrants of imprisonment. The Gate-keeper admits it and states that he had placed them on the Jailor's table. But the covers and the warrants are not forthcoming. The Jailor denies any knowledge of the same. The matter is being enquired into. I request you to be so good as to issue copies of the warrants to enable me to admit the prisoners into the Jail.

The three prisoners are herewith sent under escort.

"COPY."

R E G I S T R A R.

Explanation of B.S. Puttaswamy Naidu, despatching clerk of the City Magistrate's Court, Mysore.

* * * * *

Respectfully submitted;

In C.C.No.110/27-28 (Government Vs. Mylariah) the fine amount was received in this office on 27-8-28 from the grand-mother of the accused and on the very same day an entry was made in the Fine Register and Intimation of fine in form No.86 Crl. was written by the Head Clerk of the Office and given to the undersigned. for despatch.

The undersigned, after receipt of the same enclosed it in a cover addressed to the Superintendent Mysore Jail, wherein a warrant of Imprisonment of one Chinnamma accused in C.Mis.No.70/27-28 had been -- enclosed.

The cover was handed over to one Police Constable No.21 Nallappa for delivery to the Jail and his -- signature taken on the "To" Register which bears - testimony for the same.

Sd/- B.S. Puttaswamy Naidu,
14-11-1928.
Clerk,
City Magistrate's Court,
Mysore.

" COPY. "

REGISTRAR.

Explanation of M.R. Srinivasa Rao,
of the City Magistrate's Court of Mysor

* * * * * *

Respectfully submitted;

On 27-8-1928, one Subbamma, grand-mother of accused Mylariah came to Court with a sum of Rs.110-1-6 and an application tendering the amount on behalf of Mylariah. The amount was received, entries of the same being made in the Cash and Fine Registers. A receipt was given to Subbamma and the amount had to be credited to the Treasury the next day as it was already 2-30 p.m. - Intimation of the realisation of the fine amount was immediately sent to the Superintendent of the Mysore Jail muddam along with the Imprisonment warrant of accused Chinnamma in C.M.70/27-28. The accused - Mylariah was sent to Jail on 6-3-1928 and the sentence of imprisonment for six months passed on him would be completed on 5-9-1928. The imprisonment warrants are returned by the Jail Office some days after release, many a time, nearly a week after the release of the prisoners with endorsement of the release. As the intimation was sent muddam to the Jail, and as I thought that the prisoner was due for release on 5-9-1928 and as release warrants, etc., are usually returned late from the Jail, a second intimation was not sent.

Under the above circumstances, I humbly beg that I may kindly be excused if I am in any way thought to be wrong.

Sd/- R. Srinivasa Rao,
15-11-1928.
Head Clerk, City Magistrate
Court of Mysore.

"COPY."

REGISTRAR.

Letter No.D.Dis.Gl.258-28 dated 23rd November 1928, from the District Magistrate, Mysore District, Mysore, to the Registrar, Chief Court, Bangalore.

* * * * *

Adverting to your docket No.C.582/28-29 dated 8th November 1928 regarding delay in the intimation of Jail of fine recovered, I have the honour to - forward herewith in original the explanation of the City Magistrate, Mysore, and to state that I agree with the City Magistrate that the cover received by the Jail Superintendent on 27th August 1928 were - perhaps not carefully examined and the intimation was lost in the Jail Office.

"COPY."

REGISTRAR.

ad

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read:-

Letter No. C.173-4 dated 11th Octobe 1928 from the I.G. of Prisons in Mysore submitting for the orders of Government the report received from the Superintend of the Mysore Jail regarding a case of overdetention of a prisoner in that Jail

2. Letter No. ROC.582-28-29 dated 15th December 1928 from the Registrar, Chief Court of Mysore forwarding copies of cor pondence with the District Magistrate, Mysore and suggesting ~~the~~ measures to be adopted for the prevention of such overdetentions in future.

Order No. G. 9063-4/~~Pris-3628~~

Dated Bangalore, the 26.1.29.

A prisoner by name Mylariah of the Mysore Jail was sentenced by the City Magistrate, Mysore, to one year's rigorou imprisonment from 6th March 1928 and a fine of Rs.110-1-6 or in default to four months' further imprisonment. The substantive sentence of one year was subsequ ly reduced to six months by the Sessions Judge. This reduced term with the remissions earned expired on 17th August 1928 and from that date, the prisoner was detained in the jail for undergoing the default sentence of four months. While undergoing this sentence, the fine was paid on 27th August 1928 and intimation of the same was sent to the Jail authori-

on the same date by the City Magistrate. But as the intimation was mislaid by the Jail authorities, the prisoner was detained in jail for a period of 11 days from 28th August to 7th September 1928 both days inclusive. This over-detention is attributed to the City Magistrate having enclosed the intimation regarding the realisation of the fine amount in a cover along with another communication and also to his not ~~being~~ having been in a position to find out when exactly the convict was entitled to be released for want of information about the remissions earned by the convict under the Jail Manual.

With a view to avoid the recurrence of such irregularities in future, the Chief Court have put forward the following suggestions for adoption:--

1. Important communications like the one now in question should be sent separately and not along with other communications put in a single cover.
2. The Court under whose warrant convicts are imprisoned should get intimation whenever remissions are earned by the convicts or by the payment of fines ~~the~~ in imprisonmet in default - cases.

Government are pleased to approve of the above recommendations of the Chief Court. The I.G. of Prisons in Mysore is requested to submit for approval draft amendments to the Mysore Jail Manual in this connection.

The Registrar, Chief Court, with a c.letter.
I.G. of Prisons with the statement.
of Hallappa, Police Constable of the
Mysore City Police.

Proceedings of the Government of His Highness

the Maharaja of Mysore.

- - -

R e a d : -

Letter No.C.173-4 dated 11th October 1928, from the Inspector General of Prisons in Mysore, submitting for the orders of Government the report received from the Superintendent of the Mysore Jail, regarding a case of over-detention of a prisoner in that Jail.

2. Letter No.Roc.582-28-29 dated 15th December 1928, from the Registrar, Chief Court of Mysore, forwarding copies of correspondence with the District Magistrate, Mysore and suggesting measures to be adopted for the prevention of such overdetentions in future.

O r d e r No: G 9063-4/Prison 36-28-2

Bangalore, dated the 23rd January 1929.

26.

A prisoner by name Mylariah of the Mysore Jail was sentenced by the City Magistrate, Mysore, to one year's rigorous imprisonment from 6th March 1928 and a fine of Rs.110-1-6 or in default to four months' further imprisonment. The substantive sentence of one year was subsequently reduced to six months by the Sessions Judge. This reduced term with the remissions earned expired on 17th August 1928, and from that date, the prisoner was detained in the Jail for undergoing the default sentence of four months. While undergoing this sentence, the fine was paid on 27th August 1928 and intimation of the same was sent to the Jail authorities on the same date by the City Magistrate. But as the intimation was mislaid by the Jail authorities, the prisoner was detained in Jail for a period of 11 days from 28th August to 7th September 1928 both days inclusive. This over-detention is attributed to the City Magistrate having enclosed the intimation regarding the realisation of the fine amount in a cover along with another communication and also to his not having been in a position to find out when -

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Government are pleased to approve of the above recommendations of the Chief Court. The Inspector General of Prisons in My is requested to submit for approval draft amendments to the Mysore Jail Manual in this connection.

Seshavarayappa

FOR GENERAL SECRETARY TO GOVERNMENT

To

The Registrar, Chief Court, with a covering letter.

The Inspector General of Prisons with the statement of Nallappa, Police Constable of the Mysore City Police

C 173-12
Genl: Adl

OFFICE OF THE INSPECTOR-GENERAL OF PRISONS
IN MYSORE,

Dated Bangalore, 6th June 1929.

En 8872

Dr. S. SUBBA RAO, B.A., M.B.C.M., L.R.C.P. (London) M.R.C.S., (Eng.) & D.P.H.
INSPECTOR-GENERAL OF PRISONS
IN MYSORE, BANGALORE.

Pri 36-28-3

R. Ranga Rao, Esq., B.A., B.L.,

Offg. Chief Secretary to the

Government of Mysore.

Adverting to the Government order No. G. 9063-4/pris 36-28-2 dated 26th Jan 1929, I have the honour to forward herewith, for approval,,the necessary draft amendment to the Mysore Jail manual as called for therein.

I have the honour to be,
Sir,
Your mosr obediant servant,

S. Subba Rao.

Mysore Jail Manual

Volume 1

Correction Slip:-

Page 170 Rule 664

Insert the following between the words "letter" and "and" in the 4th line, "sent separately and not along with other communications put in a single cover". and put a comma after "cover".

Mysore Jail Manual

Volume 1

Correction Slip:-

Page 170 Rule 665

Insert the words" from a court other than the sentancing one" between "received" and "the prisoner" in the second line, and "and the court" between "the prisoner" and "concerned" in the same line and put a comma after "informed" in the 3rd line and add the sentence "and the court shall also be informed of the amount of remission earned by the prisioner. Delate the comma after "received" in the second line and place it after "one" now inserted.

S. Subba Rao

Offg. Inspector-General of Prisons

Proceedings of the Government of
His Highness the Maharaja of Mysore.

-----:0:-----

R e a d : -

Government Order No. G. 9063-4 Pr
36-28-2 dated the 26th January 1929 pa
orders on certain irregularities broug
notice resulting in the over-detention
a prisoner in the Mysore Jail and dire
the Inspector General of Prisons to su
necessary draft amendments to the Myso
Jail Manual ~~to give effect to them.~~

2. Letter No. C. 173-12 dated the
June 1929 from the Inspector General o
Prisons in Mysore submitting for appro
the necessary draft amendments to the
Mysore Jail Manual as directed above.

Order No. G 6383-93/34/1
Dated, Bangalore, 25 Novembe

Government are pleased to approve
the following amendments to Rule 664 o
the Mysore Jail Manual:

~~In lieu~~ After the second sentence of the
~~new sub-rule~~ insert the following:-

"~~Such communication shall be by t
and action shall not be taken on telegr~~
"If
~~Such communication~~ shall be sent to th
Superintendent of the Jail immediately on receipt
payment of the fine, enclosed in a sepa
cover marked "immediate" and superscri
"Intimation of recovery of fine".

Rule 664 as amended will read as follows

2. ~~The~~ But consider that the quest
amending Rule 665 of the Jail Manual so a
provide for intimation of remissions

31

earned by the Prisoners being given to the Courts concerned may be dropped for the present.

Chief Secretary to Governme

P.H.

To

The Inspector General of Prisons,

The Registrar, Chief Court,
with a covering letter,

The Dist. Magistrates of Dists.,

The Comptroller,

Copy of Protection Branch.

S.O.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. G. 6383-93—Pris. 36-28-4, dated 25th November 1929.

Amendments.

Sanctions certain —— to Rule 664 of the Mysore Jail Manual, regarding the mode of intimation of payment of fine to the Superintendent of the Jail.

READ—

Government Order No. G. 9063-4—Prisons 36-28-2, dated 26th January 1929, passing orders on certain irregularities brought to notice resulting in the over-detention of a Prisoner in the Mysore Jail and directing the Inspector-General of Prisons to submit necessary draft amendments to the Mysore Jail Manual.

2. Letter No. C. 173-12, dated the 6th June 1929, from the Inspector-General of Prisons in Mysore, submitting for approval the necessary draft amendments to the Mysore Jail Manual as directed above.

ORDER NO. G. 6383-93—PRIS. 36-28-4, DATED 25TH NOVEMBER 1929.

Government are pleased to approve of the following amendments to Rule 664 of the Mysore Jail Manual.

After the second sentence of the Rule, insert the following:—

"It shall be sent to the Superintendent of the Jail, immediately on receipt of payment of the fine enclosed in a separate cover marked "Immediate" and superscribed "Intimation of recovery of fine".

Rule 664 as amended will read as follows:—

Every Court receiving payment of a fine in whole or in part will communicate the fact to the Superintendent of the Jail to which it committed the convict. Such communication shall be by letter and action shall not be taken on telegrams. It shall be sent to the Superintendent of the Jail immediately on receipt of payment of the fine, enclosed in a separate cover marked "Immediate" and superscribed "intimation of recovery of fine". If the convict has been transferred elsewhere, the Superintendent shall forward such intimation to the Jail in which the convict is confined. If the fine or part thereof is realised by a Court other than the Court sentencing the person, the Court realising the fine will give intimation to the Jail concerned.

2. Government consider that the question of amending Rule 665 of the Jail Manual so as to provide for intimation of remissions earned by the prisoners being given to the Courts concerned may be dropped for the present.

R. RANGA RAO,
Offg. *Chief Secretary to Government.*

To—The Inspector-General of Prisons in Mysore.
The Registrar, Chief Court of Mysore, Bangalore.
The District Magistrates of Districts.
The Comptroller to Government.

Exd.—C. K.

W D 1522—GPB—525—6-12-29

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNE
THE MAHARAJA OF MYSORE.

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R e a d :-

Government Order No. G. 9063-4/Prisons 36-28-2 da 26th January 1929 passing orders on certain irregulari brought to notice resulting in the over-detention of a prisoner in the Mysore Jail and directing the Inspecto General of Prisons to submit necessary draft amendment the Mysore Jail Manual.

2. Letter No. C. 173-12 dated the 6th June 1929 f the Inspector General of Prisons in Mysore submitting approval the necessary draft amendments to the Mysore Manual as directed above.

Order thereon No. G 6383-93/Pri 36-28-
Dated, Bangalore, 25-L November 1929.

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Chief Secretary to Governme

The Inspector General of Prisons
The Registrar, Chief Court of Mys
The District Magistrates of Distr
The Comptroller to Government.